FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

CIVIL APPLIATION NO. 9040/2007
IN
WRIT PETITION No.3824/2005(Decided)
(Arpana Enterprises & 4 ors. Vs. U.O.I. & 2 ors.)

Appeal Application No. Writ petition	District : of 200

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : D.D. SINHA &
SMT. VASANTI A. NAIK, JJ.
DATED :DECEMBER 18, 2007.

Heard Mr. Samarth, the learned counsel for the petitioners, Mr. Mishra, the learned counsel for the respondent no.1- Union of India, and Mr. Mehadia for the respondent nos. 2 and 3.

The learned counsel for the petitioners submits that in view of the decision of the Apex Court in the case of **Ashoka Smokeless Vs. Union of India** (2007) 2 SCC 640, as well as the order passed by this Court on 18/12/2007 in Writ Petition No. 3267/2007, the petitioners seek permission to withdraw the civil

application with liberty to approach the respondent no.3- WCL for refund of the excess amount paid on and above the “Notified Price”.

Mr. Mehadia, the learned counsel for the respondent nos. 2 and 3, does not have any objection in this regard.

In the circumstances, civil application is disposed of as withdrawn, with liberty as prayed for.

JUDGE **JUDGE**

RMP